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APPLICATION NO. FILING DA		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/907,364		07/17/2001	Bo Su Chen	M40 01375 US	6467
128	7590	05/02/2005		EXAM	INER
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101 COLUMBIA ROAD P O BOX 2245			ART UNIT		
MORRIS	MORRISTOWN, NJ 07962-2245			2876	
			DATE MAILED: 05/02/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Advisory Action

Application No.	Applicant(s)	
09/907,364	CHEN, BO SU	
Examiner	Art Unit	_
Jared J. Fureman	2876	

Jared J. Fureman   Jared J. F	Defend the Ellin of the August 1		CHEIN, BO SU					
THE REPLY FILEO 07 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. ☑ The reply was filed after a final rejection, but prior to or not the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance, (2) a Notice of Appeal (with appeal feet) in compliance with 37 CFR 41.31, or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 41.11. The reply must be filed within one of the following time periods:  a) □ The period for reply expires on: (1) the making date of the final rejection.  becamine Note: If the xi is checked, check either box (a) or (b) DNIV CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION 5ee MFEP 780.77(b).  Examiner Note: If the xi is checked, check either box (a) or (b) DNIV CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION 5ee MFEP 780.77(b).  Examiner whose the xi is checked, check either box (a) or (b) DNIV CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION 5ee MFEP 780.77(b).  Examiner whose the xi is checked, check either box (a) or (b) DNIV CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION 5ee MFEP 780.77(b).  Examiner whose the xi is checked, the checked box (a) or (b) Checked Box (a) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION 5ee MFEP 780.77(b).  Extensions of time may be obtained under 37 CFR 1.136(a) and the appropriate extension feet under the control of the control of the final rejection of the fina	Before the Filing of an Appeal Brief	Examiner	Art Unit	=				
THE REPLY FILED OZ April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. In reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal feel) in compliance with 37 CFR 4.1.31, or (3) the periods.  a) The periods reply expires		Jared J. Fureman	2876					
THE REPLY FILED OZ April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. In reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal feel) in compliance with 37 CFR 4.1.31, or (3) the periods.  a) The periods reply expires	The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress				
this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal feet) in compliance with 37 CFR 1.1.19. (1) as Request for Continued Examination (RCE) in compliance with 37 CFR 1.1.14. The reply must be filed within one of the following time periods:  a) The period for reply expires	THE REPLY FILED 07 April 2005 FAILS TO PLACE THIS APP	PLICATION IN CONDITION FOR A	ALLOWANCE.					
event, however, will the stabutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: If box 1s checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of extension their major date of the final rejection, even if timely filed, may reduce any correct of the case of the final rejection, even if timely filed, may reduce any for filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal.  Since a Notice of Appeal (37 CFR 41.37(a)).  AMENDMENTS  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issue of new matter (see NOTE below);  (b) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  NOTE: See Continuation Sheet. (	1. A The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:							
MONTHS OF THE FINAL RELECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.174(a) is accludated from: (i) the expiration date of the shortened statutory period for rephy originally set in the final Office action, or (2) as set forth in (above, if checked. Any rephy received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any examed patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL  2	event, however, will the statutory period for reply expire later th	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.36(a) and the appropriate extension fee have been filled is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (above, if checked. Any reply received by the Office leafer than three months after the mailing date of the final rejection, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL  Improved the set of filling and the set of filling the Notice of Appeal was filled on the set of filling and set of the final rejection, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.37(a), or any extension thereof (37 CFR 41.37 must be filled within two months of the date of filling a brief, will not be entered because for situation of the set o			IRST REPLY WAS FILE	OWITHIN TWO				
of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filled within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a)☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b)☐ They raise the issue of new matter (see NOTE below); (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) is (or will be) as follows: Claim(s) allowed: None.  Claim(s) allowed: None.  Claim(s) allowed: None.  Claim(s) allowed: None.  Claim(s) rejected: 1.3.4.7.10.12.14.16.18.19 and 21-34.  Claim(s) rejected: 1.3.4.7.10.12.14.16.18.19 and 21-34.  Claim(s) withdrawn from consideration: None.  AFFIDANT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because the affidavit or other evidence filed after filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence filed after filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence filed after filing a Notice of Appeal, but prior to the da	Extensions of time may be obtained under 37 CFR 1.136(a). The date on been filed is the date for purposes of determining the period of extension a CFR 1.17(a) is calculated from: (1) the expiration date of the shortened stabove, if checked. Any reply received by the Office later than three month earned patent term adjustment. See 37 CFR 1.704(b).	which the petition under 37 CFR 1.136(a and the corresponding amount of the fee. atutory period for reply originally set in the	The appropriate extension final Office action; or (2)	on fee under 37 as set forth in (b)				
<ul> <li>3.</li></ul>	2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
(d)	3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for							
<ul> <li>4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).</li> <li>5. ☐ Applicant's reply has overcome the following rejection(s):</li></ul>		corresponding number of finally re	jected claims.					
<ul> <li>Applicant's reply has overcome the following rejection(s):</li></ul>								
<ul> <li>6.</li></ul>			ompliant Amendment	(PTOL-324).				
<ul> <li>7.</li></ul>	6. Newly proposed or amended claim(s) would be a		, timely filed amendm	ent canceling				
Claim(s) objected to: None. Claim(s) objected to: None. Claim(s) rejected: 1,3,4,7-10,12,14,16,18,19 and 21-34. Claim(s) withdrawn from consideration: None.  AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  3. Other: See Continuation Sheet.	7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro	☑ will not be entered, or b) ☐ wvided below or appended.	vill be entered and an	explanation of				
Claim(s) rejected: 1,3,4,7-10,12,14,16,18,19 and 21-34. Claim(s) withdrawn from consideration: None.  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  13. Other: See Continuation Sheet.	Claim(s) allowed: None.							
AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  13. Other: See Continuation Sheet.	Claim(s) rejected: <u>1,3,4,7-10,12,14,16,18,19 and 21-34.</u>							
<ul> <li>8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</li> <li>9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</li> <li>10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. <u>REQUEST FOR RECONSIDERATION/OTHER</u></li> <li>11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:</li> <li>12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s)</li></ul>								
entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  13. Other: See Continuation Sheet.	8. The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).	d sufficient reasons why the affida	vit or other evidence i	s necessary				
REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  13. Other: See Continuation Sheet.  900 & Finance Jared J. Fureman	entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).							
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  13. Other: See Continuation Sheet.  900 \$ Fineman Jared J. Fureman								
13. Other: See Continuation Sheet.  9 and 4 Fineran Jared J. Fureman		it does NOT place the application i	n condition for allowa	nce because:				
Art Unit: 2876			Examiner					

Continuation of 3. NOTE: Re claim 1, "outer perimeters and"; Re claim 22, "said first and second transparent disks."; Re claim 23, "said first and second transparent disks."; Re claim 34, "an inner", "first and second transparent disks each have an outer surface", "at least one detector module", "near at least one outer surface associated with the second transparent disk", "is located proximate to said mechanical system near the outer surface associated with the first transparent disk" raises new issues that would require further consideration and/or search.

Continuation of 13. Other: Applicants should note that Renner et al (US 4,641,027) also teaches that the transparent disks do not have to be bonded to one another and may rotate independently of each other based upon torsion in shaft 8 (see figure 20 and the corresponding description).

Claims 1, 3, 4, 7-10, 12, 14, 16, 18, 19 and 21-34 remain rejected as set forth in the final office action mailed on 2/10/2005.